

CHAPTER 284-A

GAMING REGULATORY OVERSIGHT AUTHORITY

284-A:1 Gaming Regulatory Oversight Authority Established. There is hereby established a gaming regulatory oversight authority to insure integrity and public confidence in gaming regulation and to oversee and assess the regulation of gaming activities authorized pursuant to New Hampshire law. The authority shall consist of the following members:

- I. The Attorney General, or designee.
- II. The Commissioner of the Department of Safety, or designee.
- III. The Executive Director of the Lottery Commission, or designee.
- IV. The Director of the Racing and Charitable Gaming Commission, or designee.
- V. One public member who has relevant experience, appointed jointly by the Speaker of the House of Representatives and the Senate President..
- VI. One member who has relevant experience, appointed by the Governor.
- VII. One public member appointed by the Governor who shall serve as Chair of the Authority.

284-A:2 Functions and Duties of the Authority.

I. The functions and duties of the authority shall include the following:

- (a) Evaluate whether the current regulations and regulatory bodies for legal gaming in the state are adequate to operate in a manner that protects the public interest and allows the regulation of gaming to be conducted in an effective and efficient manner.
- (b) Design the structure of the oversight agency necessary to regulate all lawful gaming and betting activity in the state, considering whether the state should continue the current divided structure or whether the state should adopt a unified and centralized gaming control authority.
- (c) Recommend those regulatory functions and powers that would be necessary to enable expanded gaming at one or more locations, including all types of expanded gaming referenced in the New Hampshire Gaming Study Commission's Final Report issued on May 20, 2010.
- (d) Identify and draft appropriate laws and regulations for ensuring ongoing and stringent review and enforcement of gaming operations, including:
 - (1) Appropriate provisions for investigating the qualifications of gaming license applicants;
 - (2) Procedures and criteria for issuing gaming licenses or gaming permits, including appropriate fees;

- (3) Procedures and criteria for selection of locations;
- (4) Control of gaming technology and gaming devices; and
- (5) Procedures for investigating and enforcing violations of any gaming laws or

(e) Identify, review, and propose necessary changes in the policies and practices of the Lottery Commission and the Racing and Charitable Gaming Commission to ensure the independence, integrity, and public accountability of the regulation of gaming in New Hampshire including insulating the regulators from conflicts of interest.

II. In making its recommendations, the authority shall conduct a thorough review of gaming regulatory structure and regulation in other states, including but not limited to Maine, Connecticut, Delaware, New Jersey and Nevada.

III The authority shall meet monthly beginning July 2010 and may meet more frequently as determined by the chair. All meetings of the authority shall be open to the public and subject to RSA 91-A.

IV With regard to meetings, minutes, and records of the authority:

(a) The authority shall notice all proceedings and shall make and keep a record of all proceedings held at public meetings of the authority. A verbatim record of those proceedings shall be prepared by the authority. A copy of the record shall be made available to any person upon request and payment of the costs of preparing the copy.

(b) The authority shall maintain such other files and records as the authority determines is necessary.

(c) All records, information or data maintained or kept by the authority shall be maintained or kept at the office of the lottery commission.

V. The Lottery Commission shall allocate \$250,000 as initial start up funds to the authority in funds not otherwise appropriated. Notwithstanding any provision of law to the contrary for fiscal year 2011, the authority may expend the initial allocation as needed to support its activities including, but not limited to, the hiring of staff and the retention of experts in the area of the authority's oversight activities. Beginning in fiscal year 2012, and each fiscal year thereafter, the Lottery Commission shall allocated \$250,000 to the authority in funds not otherwise appropriated to support the authority's activities.

VI The Lottery Commission, the Racing and Charitable Gaming Commission, the Liquor Commission and other state agencies shall cooperate with the authority and shall provide data and information to the authority upon request. The authority shall be administratively attached to the Department of Safety pursuant to RSA 21-G:10.

VII The authority shall submit a report to the general court by December 15, 2010 containing recommendations regarding gaming policy, oversight, and regulation in accordance with the authority's functions and duties as set forth in RSA 284-A:2. Such report shall contain recommendations to the general court for 2011 legislation that would establish an entity sufficient to regulate expanded gaming, including all types of expanded gaming referenced in the New Hampshire Gaming Study Commission's Final Report, issued on May 20, 2010, so that, in the event that the legislature acts to enable the issuance of one or more licenses for expanded gaming facilities, the state will be prepared to regulate these activities in an effective and efficient manner.

1:114 Repeal. RSA 284-A, relative to the gaming regulatory oversight authority, is repealed.